



**RICHMOND COUNTY JUVENILE COURT
AUGUSTA JUDICIAL CIRCUIT**

**PAMELA JAMES DOUMAR, JUDGE
JENNIFER S. MCKINZIE, JUDGE
DOUGLAS J. FLANAGAN, JUDGE**

**971 Broad Street, 2nd Floor, Suite B
Augusta, Georgia 30901
Office (706) 821-1185
Fax (706) 821-1196**

**PROCEEDING “PRO SE” IN JUVENILE
COURT**

&

**REPRESENTING “YOURSELF” IN JUVENILE
COURT**

****PLEASE NOTE THE REQUIREMENTS
LISTED ON THE SECOND PAGE****

**BEFORE A HEARING IS SCHEDULED
PLEASE BE AWARE!!**

**A PETITIONER FILING A "PRO-SE" DEPRIVATION PETITION IN JUVENILE COURT, MUST
COMPLETE THE FOLLOWING ITEMS AND PAY THE COSTS STATED
BELOW PRIOR TO FILING A PETITION WITH THE CLERK OF COURT:**

- A mandatory \$50.00 fee (per Petitioner) is to be paid for the services of a Guardian ad Litem prior to the hearing. The fee must be paid by money order. The Guardian ad Litem will be appointed to your case to assist the Court in interviewing the parties, making a home visit and gathering facts and opinions regarding the welfare of the child(ren) prior to the decision of the Court.
- A mandatory \$65.00 filing fee per Petition is to be paid to the Clerk of Superior Court.
- A completed information sheet for the Guardian ad Litem
- A criminal background check must be completed for each adult living in the home of the Petitioner.
- A drug screen must be completed for each adult living in the home of the Petitioner.
- If the Department of Family and Children Services has been involved in any way with the child, please inform the Court of the same.
- Once these items have been completed and presented to the Court along with the completed Petition, a designee from Juvenile Court will approve the filing of the Petition with the Clerk of Court.
- Once the Petition has been filed with the Clerk and a case number assigned, you MUST contact the Court's Paralegal at 706-821-1205 to schedule a hearing.
- **IF THESE ITEMS ARE NOT COMPLETED, A HEARING WILL NOT BE SCHEDULED AND THE MATTER WILL BE DISMISSED.**

REPRESENTATION BY AN ATTORNEY AT LAW

While you are not generally required to have an attorney, **you are encouraged to seek legal advice on all matters of legal importance.** It is suggested that you seek advice in Juvenile matters from an attorney who practices Juvenile Law. The attorney can assist you in determining which proceeding is the most appropriate for your particular situation and can discuss fully with you the benefits, if any, in considering alternative proceedings. Very often, there are other matters related to Juvenile Court proceedings which may also make it appropriate or necessary to seek the service of an attorney.

PROCEEDING WITHOUT AN ATTORNEY ("PROCEEDING "PRO SE")

If you proceed without an attorney; i.e., *pro se* (a Latin phrase meaning "for one's self"), it will be your responsibility to determine or select the proceeding appropriate to your situation. The staff of the Juvenile Court may not make the determination selection for you, since to do so may constitute the unauthorized practice of law, a misdemeanor crime under Georgia law. Neither the Court nor the County can accept responsibility for incorrect decisions made by the staff, and they have been directed to refrain from giving that kind of advice.

The Juvenile Court Judge is required by law to remain impartial to all parties. The Judge must treat every case as though it may become contested. Therefore, the Judge also may not advise you on which proceeding is the most appropriate to your case. The Judge is prohibited from discussing facts or evidence in any contested case with one party unless all parties are present or represented. You should not ask to discuss your case privately with the Judge, and you should understand if the Judges stop any discussion which appears to require the presence of others.

Furthermore, if you proceed without an attorney, it will be your responsibility to make arrangements for personal service on all persons upon whom personal service is required, to assure the filing of a proper return of service on all such persons, to assure the publication of any notices not performed by the Court or its staff, and to secure the presence of or interrogatories from any witnesses whose testimony is necessary under law or desired by you for the presentation of your case. If the matter is contested, it will be your further responsibility to prepare yourself and your case for trial, including the pursuit of and response to discovery.

It is your responsibility to handle matters which would be assumed by an attorney employed to represent you, and you are again encouraged to consult first with an attorney before deciding whether to Proceed *PRO SE*.

DO I NEED A COURT REPORTER?

You have the right to have a record made of your hearing. A record is made by a Court Reporter. A Court Reporter is a person specially trained to record all statements made, and transcribe the statements for a record of the hearing.

A Court Report will be present at each hearing at no cost to you; however, should you request a transcript of the proceeding (Court Hearing) you will be responsible for the cost of such transcript.

If the case before Juvenile Court is a transfer case from Superior Court, the Court Reporter fee will be paid by the parties of the case. The fee for the Court Reporter will be \$43.31 (\$21.65 each party) per hour. This fee will be required to be paid before the hearing.

GUARDIAN AD LITEM

A Guardian ad Litem (*Guardian*) may be appointed by the Court to be an officer of the court and shall assist in reaching a decision with respect to issues before the Court involving the child(ren). The *Guardian* shall primarily act as a gatherer of facts and opinions regarding the welfare of the child(ren) and as an expert investigator who will, as an arm of the Court, make recommendations to the parties and to the Court concerning the fitness of parents or other custodians and also the relative appropriateness of various arrangements for the care and custody of the child(ren).

The cost of the *Guardian* shall be shared by the parties at a cost of \$50.00 (\$25.00) per hour.

FORMS OF THE COURT

USE OF FORM(S) PROVIDED BY JUVENILE COURT

There are no standard forms approved by law for use in Juvenile Court. However, to assist citizens with filings in Juvenile Court, the Court has approved several forms. Upon request, these forms will be made available to any person who wishes to file an action in Juvenile Court.

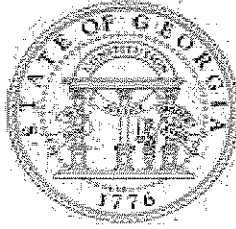
It will be your responsibility to properly complete all forms, which must either be typed or legibly printed, and to assure the sufficiency and accuracy of all required information. The staff is not permitted to perform clerical tasks for the public and cannot accept responsibility for determining the legal sufficiency of the information required for any proceeding or form. The

staff will not be able to answer any questions about any forms. The staff will be able to schedule hearings upon request.

While the law requires a representative of Juvenile Court to “approve for filing” any pleading presented for filing with the Court, the representative is only saying the pleading is in the “proper form”; the Court representative is not saying the pleading is legally sufficient to obtain the results that is being “asked for”.

There is not a standard form for every possible proceeding or pleading which may be filed in Juvenile Court. It is your responsibility to draft, prepare and to put in proper form any pleading filed in Court. Because of this, it is recommended that legal advice be sought before any action is taken to proceed in Juvenile Court.

**JUDGES JUVENILE COURT
RICHMOND COUNTY, GEORGIA**



**RICHMOND COUNTY JUVENILE COURT
AUGUSTA JUDICIAL CIRCUIT**

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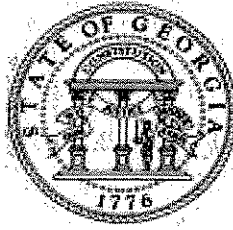
INFORMATION FOR PARTIES WISHING TO FILE DEPRIVATION PETITIONS

You have expressed an interest in filing a deprivation petition in the Juvenile Court of Richmond County. Prior to the Court's acceptance of your petition, you must complete **ALL** attached documents and provide all of the items required. **IF YOU BELIEVE A CHILD IS IN IMMEDIATE DANGER OF ABUSE OR NEGLECT, YOU SHOULD CONTACT THE APPROPRIATE LAW ENFORCEMENT AGENCY AND RICHMOND COUNTY DEPARTMENT OF FAMILY CHILDREN SERVICES.**

In filing a deprivation petition, you are stating your desire to become the temporary custodian of a child that is not your legal child. While you are allowed to represent yourself in this matter, **YOU ARE STRONGLY ENCOURAGED TO OBTAIN THE ADVICE AND ASSISTANCE OF AN ATTORNEY.** When you file a deprivation petition, you are filing a lawsuit, and the legal parents have a right to be notified of the case. Court procedures are complicated, and if this matter is going to be contested by the parent(s), it is unlikely that you can adequately represent yourself unless you are a lawyer. Court personnel cannot assist you in preparation of the necessary documents, as that would be the unauthorized practice of law. The parent(s) will be entitled to a court appointed attorney if unable to afford one. However, the Court **DOES NOT** appoint attorneys to represent petitioners seeking custody of children. **CUSTODY DISPUTES BETWEEN PARENTS ARE TO BE FILED IN SUPERIOR COURT, AND WILL NOT BE ACCEPTED BY THE COURT DESIGNEE.**

You should be aware that it is the Court's policy in all deprivation cases to require that the Richmond County Department of Family Children Services conduct a home evaluation of the party seeking temporary custody. The home evaluation includes a criminal record check on every individual over the age of 17 who resides in the household.

PLEASE READ THE REQUIRED DOCUMENTS CAREFULLY AND PROVIDE ALL REQUIRED INFORMATION. It is **VERY IMPORTANT** that the Court be given an address for each parent, as no case can be completed until each parent has formal notice of the petition. If you are unable to provide an address for each parent, you may be required to explain the efforts you have made to locate an address and/or pay the costs for service by publication in the Augusta Chronicle.



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INFORMATION REQUIRED FOR FILING DEPRIVATION PETITION

- Complaint and Petition completed and filed with the Clerk of Court as required by Georgia Law (One Petition for each child)
- Picture identification of Petitioner (A driver's license or personal photograph and Social Security card is acceptable)
- Affidavit Regarding Parents
- Affidavit of Household Members
- Affidavit Concerning Fitness
- Affidavit Concerning Child Custody
- Affidavit of Child (if seeking custody of a child age 14 or older)

**** ALL DOCUMENTS MUST BE FULLY COMPLETED AND LEGIBLE, EVEN IF THE SAME
INFORMATION HAS BEEN STATED IN PREVIOUS FORMS.****

**** ACCURATE ADDRESS AND TELEPHONE NUMBERS FOR THE PARENTS MUST BE ON FORMS. IF
YOU KNOW OF A WORK NUMBER AND ADDRESS, PLEASE INCLUDE.****

**** AFTER COMPLETING THE PACKET, PLEASE RETURN PACKET IN PERSON TO JUVENILE COURT,
971 BROAD STREET, 2ND FLOOR, SUITE B, AUGUSTA, GEORGIA 30901.****



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MANDATORY INFORMATION REQUIRED FOR HEARING BEFORE JUDGE

- Criminal Background Check for Petitioner **AND** each Adult (17 years or older) residing in Petitioner's Home (Background Check must be valid through 48 hours prior to the hearing).
- Drug Test (Urine) for Petitioner AND each Adult (17 years or older) residing in Petitioner's Home (the cost is to be paid by Petitioner). A listing of local drug testing facilities is attached hereto. You must receive a letter from the Court setting forth the request for the drug test.
- All interested parties must be present for the hearing. If any party is not able to attend the hearing (i.e. death, incarceration), proof must be presented (i.e. death certificate, letter from hospital, incarceration information).

**** ALL DOCUMENTS MUST BE FULLY COMPLETED AND LEGIBLE, EVEN IF THE SAME
INFORMATION HAS BEEN STATED IN PREVIOUS FORMS.****

**** ACCURATE ADDRESS AND TELEPHONE NUMBERS FOR THE PARENTS MUST BE ON FORMS. IF
YOU KNOW OF A WORK NUMBER AND ADDRESS, PLEASE INCLUDE.****

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GUARDIAN AD LITEM WORK SHEET

PETITIONER

NAME: _____ ADDRESS: _____

HOME PHONE/CELL PHONE/WORK PHONE: _____

EMPLOYMENT INFORMATION: _____

NAMES AND AGES OF OTHER HOUSEHOLD MEMBERS: _____

REASON FOR SEEKING CUSTODY: _____

MOTHER OF CHILD

NAME: _____ ADDRESS: _____

HOME PHONE/CELL PHONE/WORK PHONE: _____

EMPLOYMENT INFORMATION: _____

NAMES AND AGES OF OTHER HOUSEHOLD MEMBERS: _____

FATHER OF CHILD

NAME: _____ ADDRESS: _____

HOME PHONE/CELL PHONE/WORK PHONE: _____

EMPLOYMENT INFORMATION: _____

NAMES AND AGES OF OTHER HOUSEHOLD MEMBERS: _____

CHILD STATED IN PETITION

NAME: _____ AGE: _____ SEX: _____

CURRENTLY RESIDING WITH AND ADDRESS: _____

HOME PHONE/CELL PHONE/WORK PHONE: _____

SCHOOL ATTENDING: _____ GRADE: _____

DISABILITIES OR HEALTH PROBLEMS: _____

ANY OTHER INFORMATION: _____

**PETITION
(DEPENDENCY)**

IN THE JUVENILE COURT OF
RICHMOND COUNTY, GEORGIA

In the Interest of

_____, SEX _____, AGE _____, DOB _____, FILE # _____

A Child/ Children Under 18 Years of Age

Your Petitioner alleges the Child(ren) named above to be of the sex(es) and age(s) and to have the name(s) there set forth above; that the (Putative) father of said Child(ren) is _____, who resides at _____, the mother is _____, who resides at _____; said child(ren) reside(s) at _____, in said county and state, and is/are in the custody of _____, who resides at said place; that the said child(ren) is/are subject to the jurisdiction of this Court; that said child(ren) is/are in need of protection of this Court and is/are deprived (O.C.G.A. § 15-11-2(22)) due to the following condition(s):

That said child(ren) was/were (not) taken into custody under the provisions of O.C.G.A. § 15-11-133.

That it is in the best interest of the child(ren) and the public that this proceeding be brought.

That said child(ren) is/are, is not/are not currently in shelter care facilities under the supervision of the _____ County Department of Family and Children Services, having been placed there at _____ m., on _____, 20____.

Petitioner prays that process issue, directed to the parties hereto, requiring them to appear before this Court to answer the allegations of this Petition.

Petitioner

Subscribed and sworn to before me, on information and belief this _____ day of _____, 20____.

Attesting Officer

The above Petition is approved to be filed in the best interest of the public and the named child.

This _____ day of _____, 20____.

Court Designee

IN THE JUVENILE COURT OF RICHMOND COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

FILE NUMBER: _____

DOB: _____

A minor child

AFFIDAVIT REGARDING PARENTS

I, the maker of this Affidavit, before the undersigned officer duly authorized to administer Oaths, and after being duly sworn, state as follows:

I make this affidavit in support of a deprivation petition and complaint to be filed in the Juvenile Court of Richmond County.

The Mother of the child named above is _____

- () The mother's current address is (state full mailing and street addresses, telephone number, and work address and telephone number, if available:

- () The mother's whereabouts are currently unknown to me. Her last known address is:

My last contact with the mother was (state date, time, and method of contact, i.e., face-to-face visit, telephone call, letter, etc.):

My efforts to locate the mother prior to filing this petition are as follows: (please list, including attempts to locate at work, through other family members, through law enforcement, etc.):

The biological/legal father of the child above is _____

- () The father's current address is (state full mailing and street addresses, telephone number, and work address and telephone number, if available:

() The father's whereabouts are currently unknown to me. His last known address is:

My last contact with the father was (state date, time, and method of contact, i.e. face-to-face visit, telephone call, letter, etc.):

My efforts to locate the father prior to filing this petition are as follows: (please list, including attempts to locate at work, through other family members, through law enforcement, etc):

The legal custodian of this child is _____

SO SWORN, this ____ day of _____, 20__.

Affiant/Petitioner

Sworn to and subscribed before me
this ____ day of _____, 20__.

Notary Public

IN THE JUVENILE COURT OF RICHMOND COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

FILE NUMBER: _____

DOB: _____

A minor child

AFFIDAVIT OF HOUSEHOLD MEMBERS

I, the maker of this Affidavit, before the undersigned officer duly authorized to administer Oaths, and after being duly sworn, state as follows:

I make this affidavit in support of a deprivation petition and complaint to be filed in the Juvenile Court of Richmond County.

My name is: _____

My mailing address is: _____

My street address is: _____

I hereby certify under oath that the following is a complete list of every person residing in my household:

<u>Name</u>	<u>Age</u>	<u>Relationship to Affiant/Petitioner</u>
-------------	------------	---

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SO SWORN, this _____ day of _____, 20____.

Affiant/Petitioner

Sworn to and subscribed before me
this ____ day of _____, 20____.

Notary Public

IN THE JUVENILE COURT OF RICHMOND COUNTY

STATE OF GEORGIA

IN THE INTEREST OF:

FILE NUMBER: _____

DOB: _____

A minor child

AFFIDAVIT CONCERNING CHILD CUSTODY

I, the maker of this Affidavit, before the undersigned officer duly authorized to administer Oaths, and after being duly sworn, state as follows:

I make this affidavit in support of a deprivation petition and complaint to be filed in the Juvenile Court of Richmond County.

1) My name is: _____
(I make this affidavit to comply with the Uniform Child Custody Jurisdiction Enforcement Act).

2) The name(s) and present address of the child(ren) who are the subject of this action are:

3) The child(ren), during the last five (5) years, have resided in the following places with the persons named (list name of custodian, address of custodian, and dates child resided with the custodian; add additional pages if necessary):

Child

Custodian

Address

Dates

4) Affiant (circle one) has/has not participated as a party, witness, or in any other capacity, in any other litigation concerning the custody of the same child(ren) in this or any other state.

5) The affiant (circle one) has/has no information of any custody proceeding concerning the child(ren) pending in this or any other state. If affiant has information concerning any pending custody proceeding, please describe:

- 6) The affiant (circle one) knows/does not know of any person not a party to this proceeding who has physical custody of the child or claims to have custody or visitation rights with respect to the child. If affiant knows of any party, please name and give address and telephone number:

- 7) The affiant understands that (s) he is under a continuing duty to inform the Court of any custody proceeding concerning the child(ren) in this or any other state of which (s)he obtains information during the case.

SO SWORN, this ____ day of _____, 20__.

Affiant/Petitioner

Sworn to and subscribed before me
this ____ day of _____, 20__.

Notary Public